

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

U.S. HEALTHWORKS HOLDING
COMPANY, INC., *et al.*,

Plaintiffs,

v.

THE REGENCE GROUP, *et al.*,

Defendants.

Case No. C04-2375L

ORDER REGARDING MOTION FOR
RECONSIDERATION

This matter comes before the Court on the Motion for Reconsideration (Dkt. # 26) filed by defendants, The Regence Group, *et al.* (“defendants”). Defendants assert that the prior ruling constituted manifest error by requiring arbitration of disputes under the Utah Agreement to occur in the Western District of Washington, or, in the alternative, by not transferring claims under the Utah Agreement to the United States District Court, Utah.

Motions for reconsideration are disfavored. See Local Rule CR 7(h)(1). The Court will ordinarily deny such motions in the absence of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to the Court’s attention earlier with reasonable diligence. See id.

Because the Court’s prior ruling relied on an interpretation of § 4 of the FAA that had not been raised by either party in their original briefing, further reconsideration of the issue is

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1 appropriate. The Court requests that plaintiffs U.S. Healthworks Holding Company, *et al.*, file a
2 response to the Motion for Reconsideration. The response should not exceed nine pages and
3 should address defendants' claims that (1) § 4 of the FAA does not require arbitration of claims
4 arising under the Utah Agreement to take place in the Western District of Washington, and (2)
5 that if the Court lacks authority to compel arbitration in Utah, it should transfer claims arising
6 under the Utah Agreement to the United States District Court, Utah.

7 Plaintiffs' response is due at 4:30 p.m. on Friday, May 27, 2005. Defendants' reply, if
8 any, is due at 4:30 p.m. on Thursday, June 2, 2005. The Clerk of the Court is directed to note
9 this motion for reconsideration on the Court's calendar for Friday, June 3, 2005.

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11 DATED this 12th day of May, 2005.

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15 Robert S. Lasnik
16 United States District Judge
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